

June 24th 1829

I was present this day
(by order) at the assumption
and promulgation of the Charter
of St. Gill College, which will
hereafter constitute a remarkable
era in the history of this
Country (Lower Canada)
J. C.

- 1820 -

1003 - (June 27th)

Extract from the
Proceedings of the
Executive Council
relative to Lands
to be set apart for
the Foundation and
Endowment of Public
Schools and other Place
of Education.

Ordered to be placed
on the Files - March 7th -

- J. H. -

Again submitted to the
Board - March 1st 1825 -
the consideration thereof post-
poned indefinitely. - - - - - J. H.

Memorial on the subject submitted
to the Board - Feb. 9th 1826 - approved
& transmitted to Lord D. Feb. 23rd 1826 -

- J. H. -

Specific Purposes as He and they in their
 Wisdom and Bounty shall judge proper
 The Committee flatter themselves that
 every difficulty on that head will be removed

For if there be any overplus of the Fund
 it will be easy to apply it to other objects
 of Public Utility; but if there be a deficiency
 it will be difficult, perhaps impossible, to supply
 it.

All which is humbly submitted to
 your Excellency's Wisdom -

Council Chamber
 Bishop's Palace
 Saturday 25 June 1803.

By order
 (signed) J. Elmsley
 Chairman

At the same time His Excellency
 informed the Board, that according
 to the directions communicated to him
 through His Grace the Duke of Portland,
 then Secretary of State, he should
 transmit the same for His Majesty's
 Royal Pleasure.

Certified
 Herman W. Ryland

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Viz One at some place below Quebec one at Quebec, one at Three Rivers one at Montreal one in the New Settlements round Missisquoi Bay; and three more to be hereafter distributed among those parts of the Province which are at present but little Inhabited, but in process of time will naturally call for Establishments of that as well as of every other kind which their Circumstances shall make necessary.

But whatever the number of such Schools may be eventually there can be no doubt of the propriety of two of them being erected at Quebec and Montreal or of the necessity of those two being erected immediately For nothing is more certain than that the Province does not at present afford the means of giving even the Rudiments of liberal Education unless one or two private undertakings limited in their Plan & uncertain in their duration may be considered as such. The Parent who now wishes to give such an Education to his Child must either retain for him a Private Tutor at an Expence which but few can afford or he must send him to Europe

Europe out of his own sight during that momentous Period, and dependent on Strangers, both for the direction of his Studies and the formation of his Principles, or lastly he must resort to the desperate expedient of sending him to the United States that he may learn to contemn his Religion, and hate the Government of his Native Country.

Admitting therefore that there is to the Committee most sincerely believe there is an urgent necessity for the immediate erection and Endowment of a Grammar School at Quebec and Montreal to be as nearly as Circumstances will allow of the nature of those at Westminster Winchester and Eton. The Committee cannot but express their hope and trust that His Majesty in his wonted goodness to every description of his People will authorize Your Excellency to begin those most important works by immediately exposing to sale such a Portion of the Waste Lands of the Crown as will produce a sum sufficient for the purpose That sum
in

in the judgement of the Committee should be on no account less than Twenty Thousand Pounds Currency for each School a smaller Sum may suffice for the other Six; but it appears to the Committee to be an object of the greatest importance to this Colony that the Foundations at Quebec and Montreal should be on a large scale and attended with every Circumstance that can make them respectable

Assuming therefore that the expence of those two Institutions will be taken from the General Fund of the Waste Lands of the Crown without regard to the present Market Price of Land, The Committee estimate that of the remaining Six at an average of Ten Thousand Pounds each amounting in the whole to Sixty Thousand Pounds: but as this Sum will not be wanted soon or all at the same time The Committee Venture to set the Average Price of the Land from the sale or application of which it must be raised, at a higher rate than the present Market price. Vizt at five Shillings p^r. Acre, and therefore estimate the quantity of Land to be reserved at about a Township for each School.

With

With respect to the University The Committee cannot but think that it is too early to lay down any specific; Plan on the Subject and that it may suffice at present to make an appropriation large enough to cover any Plan which it is probable may be adopted when the Institution becomes necessary. They therefore satisfy themselves with recommending that a Reservation equal to that recommended for the six schools, may be made for the Foundation & Endowment of an University.

It may perhaps appear at first sight that the Quantities of Land which the Committee have mentioned for the several Purposes contained in this Report are extravagant, but when the peculiarity of their Situation with respect to many Important and delicate Topics is considered, and when it is recollected that all that is asked is a Reservation, and that the Lands reserved will still remain in the Possession and subject to the Pleasure of His Majesty and His successors, to be from time to time appropriated in such Quantities and for such
specific

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Extract from the Minutes of the
Executive Council

Monday 27 June 1803

At the Council Chamber in the
Castle of St. Lewis

Present

His Excellency Sir Robert S. Milnes Bart.
Lieutenant Governor, in Council.

His Excellency laid before the Board
the Report of a Committee of the whole
Council, made in consequence of their
having resumed the Reference in
Council of 11th November 1801 respecting
the Quantity of the Waste Lands of the
Crown which it will be expedient
to set apart for the Foundation and
Endowment of Schools and other Places
of Education.

Approved and ordered to be
entered.

Report

The Report,

To His Excellency Sir Robert S. Milnes
 Bt. Lieut. Governor of Lower Canada &c. &c.

Report of a Committee of the whole
 Council on your Excellency's Refe-
 rence of 11th November 1807 signifying
 His Majesty's Royal Pleasure, through
 His Grace the Duke of Portland, that
 upon consulting the Executive Council
 your Excellency should Report
 in what manner, and to what
 extent it would be proper to
 appropriate a Portion of the Crown
 Lands in this Province, or Revenues
 arising therefrom, for the
 Foundation and Endowment
 of Schools and other Places of Educa-
 tion.

Extract &c.

May it please your Excellency

In obedience to your Excellency's
 said Reference - The Committee have
 given to it all the Consideration
 which so important a Subject deserves;
 but are of opinion they can do little
 more than enlarge upon the observa-
 tions which have been already submitted
 to your Excellency by the Lord Bishop of Quebec
 in

in his letter of the 19th October 1799.

Places of Education are, generally speaking, of Three kinds, suited respectively to the three Classes into which the Members of social Communities naturally distribute themselves. First, the Parish School for the use of those whose Situation in life calls for nothing more than a knowledge of the Arts of reading, Writing and keeping accounts - Secondly, the Grammar School where Pupils of the middle Rank in life may learn to speak and write their Mother tongue with critical precision, and also may acquire such a knowledge of dead and foreign Languages and of the Elements of Science as their future Views may make necessary or useful to them, and lastly, the Superior Seminary or University where youths of the higher Rank may receive such an Education as will fit them for the important and dignified Stations to which their Situation in Society encourages them to aspire, and for which it is disgraceful to them not to be qualified.

With respect to the first of these Descriptions
of

4
of Means of Education, the late act of the
Provincial Legislature, together with the
Fund which His Majesty's Bounty
has created in the Stipends which he
has allowed your Excellency to give
to the Persons who shall conduct them,
seem to the Committee to form all
the Provisions which the subject requires
or admits of -

It is therefore to the 2^d and 3^d Clauses
that the Committee think that the
gracious Donation which is now
under consideration should be applied:
and of the two, in a more especial
manner to the second, in which the
middle Banks may acquire all the
knowledge their situation makes
necessary to them, and the upper lay
the Foundation of the Structure
which can be completed at College
only.

On looking over the Map of the
Province with a view to the present subject
the Committee cannot allow themselves
to think that less than eight such
Institutions will answer the proposed purpose:

For

1879

Lord Bathurst

Derbyshire

Authentic building

of the site of

from Fermis' notes

MCGILL UNIVERSITY ARCHIVES	
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1827

Bill & Charles Ke
Royal Institution
with two Boards

MCGILL UNIVERSITY ARCHIVES	
ACQ. NO.	2211/91
REF.	4

Copy

No 20.

Downing Street
9th Nov^r 1819.

My Lord

The Correspondence with Sir John Sherbrooke will have informed your Grace of the anxiety which His Majesty's Government felt to establish a College at Montreal and to give to it a competent endowment from the funds arising from the Jesuits Estates. Your Grace will also be aware of the circumstances which subsequently induced me in the year '18 to revoke so much of the original instruction as related to the application of those Estates to the maintenance of the Institution in question.

His Grace

The Duke of Richmond

or on on

Those circumstances however had no reference to any change of opinion on the part of His Majesty's Government as to the utility of the Institution, or as to the necessity of commencing the requisite building with as little delay as possible. The latter measure indeed becomes every day more urgent from the nearer approach of the period at which, if the College be not built, the legacy of Mr. McGill will be lost to the Institution. I have therefore to instruct Your Grace to adopt, with as little delay as possible, the necessary measures for erecting upon the land left for that purpose by Mr. McGill an adequate Building for the instruction of youth, and have to authorize you to defray the

expence which it may in the first instance be necessary to incur from the funds which may be in the hands of the Receiver of the Jesuits Estates.

Your Grace will of course see the necessity of having in the first instance a plan and Estimate of the requisite Buildings, taking care that it be formed with reference on the one hand to the probable wants of the Province for the accomodation of youth, and on the other with regard to an economical Expenditure of Money; for, it cannot, I am sure, escape your Grace that whatever sum may be unnecessarily expended upon the buildings of the College will detract so much from the funds ultimately applicable to its endowment.

I have &c.

Bathurst

Lord Baulmeret
to
The Duke of Richmond

Nov 20. 9 Nov 1819.

The Pitt College to be
erected from French Estates
Fund. _____

BILL (*from the Legislative Council*) entitled, 'An Act to authorize the formation of two separate and distinct Committees of the Trustees of the Royal Institution for the advancement of learning and for other purposes.'

"LEGISLATIVE COUNCIL, Monday 2d March, 1829.

"Ordered, That one of the Masters in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council have passed this Bill to which they desire the concurrence of the Assembly.

"Attest
(Signed) Wm. SMITH,
Clk."

[Received and read for the first time, in the House of Assembly, Tuesday 3d March, 1829.

Read a second time, Thursday 5th March, 1829.]

Attest
(Signed) Wm. B. LINDSAY,
Dp. Clk. House of Assbly.

BILL (*du conseil législatif*) intitulé 'Acte pour autoriser la formation de deux comités séparés et distincts des syndics de l'institution royale pour l'avancement des sciences, et pour d'autres effets.'

CONSEIL LEGISLATIF, lundi, 2 mars 1829.

"Ordonné, Qu'un des maîtres en chancellerie se rende à l'assemblée et informe cette chambre que le conseil législatif a passé ce bill, auquel il demande la concurrence de l'assemblée.

"Attesté.
(signé) CHARLES DE LERY,
G. A. C. L.

[Reçu et lu pour la première fois dans la chambre d'assemblée mardi 3 mars 1829.

Lu pour la seconde fois jeudi 5 mars 1829.]

Attesté Wm. B. LINDSAY,
Dép. Greff.

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211.

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Qu'il soit de plus statué et déclaré par l'autorité susdite, qu'il sera et pourra être loisible à toutes telles personnes, étant en vertu de sa charge ou de ses charges un des syndics de la dite corporation actuellement établie et existante comme susdit, de résigner et remettre la dite situation de syndic pour lui-même et ses successeurs en office ou en offices en vertu desquelles il tient ladite situation, et telle résignation sera bonne et valide et pourra lier à toutes fins et intentions, ses successeurs en office.

Bill (*from the Legislative Council*),
entitled, 'an Act to authorize
'the formation of two separate
'and distinct committees of the
'trustees of the royal institution
'for the advancement of learning,
'and for other purposes.'

The objects which the Gov^t of the
Province and the Royal Institution
& the Roman Cath: Bishop & Clergy
proposed in this arrangement, as
well as the terms & manner in
which it was to be carried into
effect, are more fully shown by
two documents ^{communicated} ~~submitted~~ by
the then Gov^t in Chief to the
Assembly in February 1827.
(See Journals H. of A. p. 7
27. February 1827.)

WHEREAS His Excellency the Earl of
Dalhousie, heretofore Governor in Chief
of this Province, did by a message bearing date
the thirteenth day of February, in the year of
our Lord one thousand Eight hundred and
twenty seven, inform the two Houses of the Pro-
vincial Legislature, that an arrangement was
about to be carried into execution with the co-
operation of the Bishops and Clergy of the
Roman Catholic Church in this Province, for
the purpose of forming a separate Committee of
the corporation of the Royal Institution for the
advancement of learning, at present constituted
and existing under an Act passed in the forty-
first year of His late Majesty's reign, which
Committee should have the exclusive regulation
and superintendance of Roman Catholic Schools
established or to be established under the afore-
said Act: And whereas His Excellency the Ad-
ministrator of the Government of this Province,
did by a message bearing date the seventeenth
day of January one thousand Eight hundred and
twenty nine, inform the two Houses of the Pro-
vincial Legislature that it had been found im-
practicable under the Provisions of the said Act
to form such separate Committee of the Royal
Institution as aforesaid, inasmuch as the said
Act doth not authorize the Governor to in-
crease the number of Trustees of the said Cor-
poration for this purpose, and His Excellency
did further recommend that for the purpose of
carrying into immediate execution an arrange-
ment so desirable and of such great importance,
the aforesaid Act passed in the forty first year of
His late Majesty's reign, should be amended in
such manner as to enable the Government to in-
crease the number of the said Trustees in order
to form a separate Committee for the superinten-
dance of Roman Catholic Schools as aforesaid ;
To

Bill (du conseil législatif) intitulé
‘ Acte pour autoriser la forma-
‘ tion de deux comités sé-
‘ parés et distincts des syndics de
‘ l’institution royale pour l’avau-
‘ cement des sciences et pour
‘ d’autres effets.’

VU que Son Excellence le Comte de *Dalhousie* ci-devant Gouverneur en Chef de cette Province, à par son message en date du treizième jour de février, dans l’année de notre Seigneur mil huit cent vingt-sept, informé les deux chambres de la législature provinciale, qu’un arrangement alloit être mis en exécution avec la co-opération de l’Evêque et du clergé de l’église catholique romaine dans cette province, à l’effet de former un comité séparé de la corporation de l’institution royale pour l’avancement des sciences, actuellement constituée et existante en vertu d’un acte passé dans la quarante-unième année du règne de feu Sa Majesté, lequel comité auroit le règlement et la surintendance exclusive des écoles catholiques romaines établies ou à établir en vertu du susdit acte : Et vû que Son Excellence l’administrateur du Gouvernement de cette province, a par son message en date du septième jour de janvier mil huit cent vingt-neuf, informé les deux chambres de la législature provinciale qu’il avait été trouvé impraticable, d’après le dit acte de former un comité séparé de l’institution royale comme susdit, en autant que le dit acte n’autorise pas le Gouverneur d’augmenter le nombre des syndics de la dite corporation pour cette fin ; Et Son Excellence a de plus recommandé qu’afin de pouvoir mettre immédiatement à exécution un arrangement aussi désirable et d’une aussi grande importance, le susdit acte passé dans la quarante-unième année du règne de feu Sa Majesté, soit amendé de manière à autoriser le Gouvernement d’augmenter le nombre des dits syndics, afin de former un comité séparé pour la surintendance des écoles catholiques romaines comme susdit ; Afin donc que le dit arrangement soit mis immédiatement à exécution ; Qu’il soit donc statué par la très-excellente Majesté du Roi,
par

To the end therefore that the aforesaid arrangement may be carried into immediate execution: Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of *Lower-Canada*, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of *Great Britain*, intituled, *An Act to repeal certain parts of an Act passed in the Fourteenth Year of His Majesty's Reign, intituled, 'An Act for making more effectual provision for the Government of the Province of Quebec, in North-America,' and to 'make further provision for the Government of the said Province.'* And it is hereby enacted by the authority of the same, that from and after the passing of this Act, it shall and may be lawful for the Governor, Lieutenant Governor or Person administering the Government of this Province for the time being, to increase the number of Trustees of the said corporation so that the same shall consist of the total number of twenty-two members or trustees, eleven of whom shall be of the Roman Catholic Religion and shall be and form a separate and distinct committee of the said corporation, for the exclusive regulation, management and superintendance of Roman Catholic Schools, established or to be established, under the aforesaid Act passed in the forty-first year of His late Majesty's reign, intituled, *An Act for the establishment of Free Schools and the advancement of learning in this Province*, of which Committee the Roman Catholic Bishop of *Quebec* for the time being, and the Coadjutor to the Roman Catholic Bishop of *Quebec* for the time being, and the Speaker of the Assembly for the time being, provided that he shall be of the Roman Catholic Religion, and the Principal (*Superieur*) of the Seminary of *Quebec* for the time being, and the senior member of the said Seminary for the time being, and the curate (*curé*) of the Parish of *Quebec* for the time being, shall respectively and at all times be members.

II. And be it further enacted by the authority aforesaid, that the other eleven members of the said corporation shall be of the Protestant Religion, and shall form and be a separate and distinct committee of the said corporation for the exclusive regulation management and superintendance of Protestant Schools established

par et de l'avis et consentement du conseil législatif et de l'assemblée de la Province du *Bas-Canada*, constitué et assemblés en vertu et sous l'autorité d'un acte passé dans le Parlement de la *Grande Bretagne*, intitulé, " Acte qui rappelle certaines parties d'un acte passé dans la quatorzième année du règne de Sa Majesté, intitulé, '*Acte qui pourvoit plus efficacement pour le gouvernement de la Province de Québec, dans l'Amérique Septentrionale ;*' " Et qui pourvoit plus amplement pour le gouvernement de la dite Province ;" Et il est par le présent statué par la dite autorité, que depuis et après la passation de cet acte, il sera et pourra être loisible au Gouverneur, Lieutenant-Gouverneur ou à la personne ayant l'administration du Gouvernement de cette Province pour le tems d'alors, d'augmenter le nombre des syndics de la dite corporation, de manière à ce qu'elle consiste du nombre total de vingt-deux membres ou syndics, onze desquels seront de la religion catholique romaine, et seront et formeront un comité séparé et distinct de la dite corporation pour le règlement, conduite et surintendance exclusives des écoles catholiques romaines, établies ou à établir en vertu de l'acte susdit, passé dans la quarante-unième année du règne de feu Sa Majesté, intitulé, "*Acte pour l'établissement d'écoles gratuites et l'avancement des sciences dans cette Province,*" duquel comité l'évêque catholique romain de *Québec* pour le tems d'alors, et le co-adjuteur de l'évêque catholique romain de *Québec* pour le tems d'alors, et l'orateur de la chambre d'assemblée pour le tems d'alors, pourvu qu'il soit de la religion catholique romaine, et le supérieur du séminaire de *Québec* pour le tems d'alors, et le plus ancien membre du dit séminaire pour le tems d'alors, et le curé de la paroisse de *Québec* pour le tems d'alors, seront respectivement en tout tems membres.

II. Et qu'il soit de plus statué par l'autorité susdite, Que les autres onze membres de la dite corporation seront de la religion protestante, et formeront et seront un comité séparé et distinct de la dite corporation pour le règlement, conduite et surintendance exclusives d'écoles protestantes établies ou à établir en vertu du susdit acte,

or to be established under the aforesaid Act, of which Committee the Lord Bishop of *Quebec* for the time being, the Speaker of the Legislative Council for the time being, provided that he shall be of the Protestant Religion, the senior member of His Majesty's Executive Council being a Protestant, the Archdeacon of *Quebec* for the time being, and the Rector for the time being, of the Parish of *Quebec*, according to the Establishment of the Church of *England*, and the Minister of the Church of *Scotland* officiating at *St. Andrew's Church*, in the City of *Quebec* for the time being, shall at all times be respectively members.

III. And be it further enacted and declared by the authority aforesaid, that all property which shall hereafter be given to the said corporation by donation Will, Act, *entre vifs* or otherwise, for the benefit of either of the said Committees shall be held by the said corporation in trust for such Committee, and shall be administered and employed by such Committee exclusively for the purposes for which such property shall have been given and not otherwise.

IV. And be it further enacted and declared by the authority aforesaid, that the Trustees appointed and to be appointed in the manner hereinbefore provided, shall be and they are hereby declared to be a corporate body for all effects intents and purposes of the said Act passed in the forty-first year of His late Majesty's reign, by the aforesaid name of the Royal Institution for the advancement of learning, and shall possess and exercise all the powers, privileges, functions and authorities in and by the said Act granted to or required to be exercised by the corporation thereby constituted and erected, in as full and ample a manner as if the same were herein recited and enacted.

V. And whereas doubts have arisen whether persons who have been or at present are Trustees of the corporation now existing as aforesaid, by virtue of public offices held by them under His Majesty's Government to wit: the Lieutenant Governor of *Upper-Canada*, the Chief Justice of the Province, the Chief Justice of *Montreal*, and the Chief Justice of *Upper-Canada*, may or might lawfully resign the said trust in such manner as to bind their Successors in such office: Be
it

acte, duquel comité le lord évêque de *Québec* pour le tems d'alors, l'orateur du conseil législatif pour le tems d'alors, pourvû qu'il soit de la religion protestante, le plus ancien membre du conseil exécutif de sa Majesté étant un protestant, l'archidiacre de *Québec* pour le tems d'alors, et le recteur pour le tems d'alors, de la paroisse de *Québec*, d'après l'établissement de l'église d'*Angleterre*, et le ministre de l'église d'*Ecosse* pour le tems d'alors officiant à l'église de *St.-André* dans la cité de *Québec*, seront en tout tems, respectivement membres.

III. Et qu'il soit de plus statué et déclaré par l'autorité susdite, Que toutes propriétés qui seront ci-après données à la dite corporation par donations, testamens, actes, entrevifs ou autrement, pour l'avantage d'aucun des dits comités, seront tenues par la dite corporation en *fidei-comis* pour tel comité, et seront administrées et employées par tel comité exclusivement pour les fins pour lesquelles telles propriétés auront été données, et non autrement.

IV. Et qu'il soit de plus statué et déclaré par l'autorité susdite, Que les syndics nommés ou qui seront nommés de la manière ci-devant pourvue, seront et ils sont par le présent déclarés être un corps incorporé pour tous les effets, fins et intentions du susdit acte passé dans la quarante unième année du règne de feu sa Majesté, sous le nom susdit d'institution royale pour l'avancement des sciences, et posséderont et exerceront tous les pouvoirs, privilèges, fonctions et autorités accordés par le dit acte, et requis d'être exercés par la dite corporation constituée et établie par icelui, d'une manière aussi entière et ample que s'il était récité et statué dans le présent.

V. Et vû qu'il s'est élevé des doutes, savoir si les personnes qui ont été, ou qui sont à présent syndics de la dite corporation, en vertu de charges publiques, qu'elles tiennent sous le Gouvernement de Sa Majesté, savoir: le Lieutenant-Gouverneur du *Haut-Canada*, le Juge en Chef de la Province, le Juge en Chef de *Montréal*, et le Juge en Chef du *Haut-Canada*, peuvent ou pourroient légalement résigner la dite charge de manière à lier leurs successeurs en office;
Qu'il

it further enacted and declared by the authority aforesaid, that it shall and may be lawful for any of the said persons, being by virtue of his office or offices one of the trustees of the said corporation, now constituted and existing as aforesaid, to resign and surrender the said trust for himself and his Successors in the office or offices by virtue whereof he holds the said trust, and such resignation shall be good, valid and binding to all intents and purposes upon such his successors in office.

III. Et qu'il soit le plus staté et déclaré par

l'autorité aforesaid, que toutes propriétés qui se-
ront cédées, données à la dite corporation par
donation, testament, acte, entente ou autre
manière, pour l'avantage d'aucun des dits comités,
seront tenues par la dite corporation en fidèle
compte pour tel comité, et seront administrées
et employées par tel comité exclusivement pour
les fins pour lesquelles telles propriétés auront
été données, et non autrement.

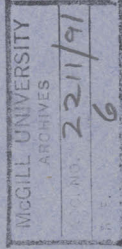
IV. Et qu'il soit le plus staté et déclaré par
l'autorité aforesaid, que les avances données ou
qui seront données de la main de Sa Majesté pour
rien servir et le tout par le présent statut
à un corps quelconque pour quelque fin que ce
soit, à l'exception de la dite corporation, ne
seront avancées de la main de Sa Majesté, sous
le nom d'aucun d'aucun des dits comités, pour l'avance-
ment des sciences, et posséderont et exerceront
toutes pouvoirs, privilèges, fonctions et immu-
nités accordés par le dit acte, et regard d'être
exercés par la dite corporation constituée et
maintenue, d'une manière aussi entière et
entière que s'il était traité de statut dans le
dit acte.

V. Et qu'il est élevé des doutes, savoir
si les personnes qui ont été ou qui sont à présent
membres de la dite corporation, en vertu de quel-
ques privilèges, ou d'elles de la dite corporation,
nommés de Sa Majesté, savoir : le Lieutenant-
Gouverneur de l'Acadie, le Juge en Chef
de la Province, le Juge en Chef de l'Acadie,
le Juge en Chef de l'Acadie, peuvent
ou peuvent-ils être membres de la dite
corporation, et si leurs successeurs en office,
ou leurs héritiers, peuvent être membres de la dite

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1835 9 6

1. Memorandum of
Case of H. Put
 2. Memorial of H. Put
 3. Resolutions of
Legislative Council
-



Off

Memorandum Submitted
to His Majesty's Commission
of Inquiry. dated 24th
Dec^r 1835.

On the part of the Royal
Institution, respecting
Endowments for Education



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The undersigned ~~has~~ having been authorized by a resolution of the Legislature of the P. I. ~~to bring~~ for the advancement of learning, to bring under the control ~~of~~ of the Com^{rs} of Inquiry, the ~~rights~~ - before the Crown lands or the Revenues thereof are finally surrendered to the Prov^l Legislature, of reserving to the Crown the power of making endow^{ts} out of these ~~Crown~~ lands, or the revenues thereof for the support of the Grammar Schools of Royal foundation heretofore estab^d in this Prov. - and in aid of the private endow^{ts} of Mc Gill College at Montreal, & for the future extension of that establish^{mt} or the foundation of a University or other sufficient Collegiate Institutions in the Prov. in conformity to the Royal promise recited in the Preamble of the School act of 1801. - respectfully submits to A. M. Com^{rs} a statement of the grounds on w^{ch} the Board of the P. I. solicit the attention of the Com^{rs} to this subject.

The claim or expectation that a Royal endowment ~~is~~ ^{of a} ~~will~~ have been ~~made~~ ^{out of the Crown funds} in the Province for Institutions of Education, may be stated as resting on the pledge contained ~~in the~~ ⁱⁿ Preamble of the act Provincial Stat. of 1801, reciting the Royal Governor's message ~~conveying a~~ ^{pledge} ~~to that effect~~ on the measures which were shortly after

a communication of the Royal intention to this effect, made by the Gov^r of the Province to the Prov^l Legislature and recited in the

O in the estab^l of the R. J. Sch. at
 Lumber & Montreal with a provision for
 the salaries of the teachers & int^l of the
 revenues of the Jesuits Estates; ~~+~~
 O in the incorporation of
 Mc Gill College under a charter
 from the Crown, with _____

taken ~~in~~ by the Provincial Gov^t
 in pursuance of that promise; - in
 the ~~realisation of~~ ^{fulfilment of} ~~accomplishment~~
 of a like pledge given ^{relatively} at the same
 time, for the benefit of the Inhabitants
 of Upper Canada, who ^{are} ~~now~~ ^{accruing} enjoying
 the advantage of such an endowment.
 On the fact that in all the other
 R. Am. Colonies such an endowment
 has been granted by the Crown. ~~+~~ ^{on the part of}
~~on the declared intention~~ of A. M.
 Gov^t to at one period, to ^{assign} the
 revenues of the Jesuits Estates in aid
 of ~~that~~ the private foundation of
 that Institution; and ~~on~~ the total
 absence of any other means or
 resource by which the Inhabitants
 of the Province ~~of~~ speaking the
 English Language can hope to see
 an Institution established to which
 they ~~and~~ send their children for
 Instruction in the higher branches
 of Education.

+ A. M. Gov^t & by the Gov^t of the Prov.

The promise ~~conveyed~~ of an endowment
 in ~~land~~ conveyed by the ~~the~~ ~~the~~ ~~the~~ ~~the~~ ~~the~~
 referred to in the act of 1801, - & the
 measures adopted by the Provincial
 Gov^t in consequence thereof, ~~have~~ were
 stated by the R. J. in a memorial
 to the Earl of Dalhousie in 1820,
 and as a member of the Board has
 by their request placed before the
 A. M. Comm^{rs} a copy of that
 representation it is ~~and~~ unnecessary
 for the undersigned to state the terms
 of that pledge, or the nature of those
 measures.

+ Population of Free Schools

It may be proper however to ^{observe} state that
 the act of 1801, was passed for the
 establishment of Free Schools & other
 Institutions of Royal Foundation of a
^{enlarged} more comprehensive nature; and that
 it is under that act that the Corporation

of the R. I. has been established, & has received the devise & bequest under the will of the late W^m H^{ill} of Montreal, under which W^m H^{ill} College has been chartered by the Crown:

The first appointment of Trustees of the R. I. took place in 1809, ~~to which~~ and the Board then became vested with the ~~regular~~ management of a number of elementary schools which had been established throughout the province under the act of 1801, ~~But no~~ But no schools of a higher class, of Royal foundation had ~~ever~~ been established ~~before~~ in the Province before 1810, when H. M. Gov^t sent out ~~masters~~ ^{from Eng^d} ~~sent out~~ ^{masters} sent out teachers for Grammar Schools at Quebec & Montreal, for whose Salaries provision was to be made out of the revenues of the Jesuits Estates, then in the hands of the Crown.

Under this act many elementary schools were established & ~~supported~~ provided for out of the Public revenues; But no measures were taken for creating the Corporate body contemplated by the act, or for establishing schools ~~of~~ ^{for the} higher branches of education until 1815 & 1816 when H. M. Gov^t ordered that the Royal Institution should be organized, and directed that the funds of the Jesuits Estates sh^d be applied to the erection of ~~the~~ a College under that bequest; and in the year 1816. masters were engaged & sent out from England, ~~whose salaries were to be paid out of those Estates~~ and who were to have charge of Royal Grammar Schools ~~for the higher~~ branches then directed to be established at Quebec & Montreal, with a suitable provision out of those Estates.

† (with a view in particular to take advantage of the bequest of W^m H^{ill} who died in 1813;)

They were followed by the year
incorporation of St. John's College under a
Royal Charter in 1821, of which the R. I.
are the visitors

came into possession of the

near neutral

These measures, w^{ch} were considered
as the first steps towards the ^{execution}
of the promise made by the Crown
to assign an endowment for education;
but it was not until 1829, that
after a long course of litigation the
Royal Institution received the
Estate of Burnard & landed property
near neutral devised by W. M. Jell; nor was it
until a few months ago that they
obtained the ^{sum} of £10,000 in
his Will, for the Legacy sum of
£10,000, also bequeathed by W. M. J.
in trust for the R. I. - This
legacy, tho' now amounting, with the
accumulated interest, to £22,000.
is manifestly insufficient for the
establishment of a University as
contemplated by the Testator, or
even of a single College; -

It is desirable also that Inferior
Academical Institutions should be
maintained as nurseries for those
of a higher ~~College~~ Description:

But the Grammar Schools
Established by A. M. in Dublin
& neutral, have ~~been~~
been left without support
since the Revenues of the joint
Estate were transferred to the
management of the Legislature.
The Salaries of the Masters have
~~been~~ ^{in 1832} reduced
by the Act to a sum totally
insufficient to enable them
to provide the requisite
assistance of ~~under~~ ^{in their} teachers, without

without any reservation of in
favor of these establishments, ~~was~~
for the just protection of
the teachers whom A. M. Jell
had engaged & sent from England
to provide over them;

5

without which they ~~cannot~~ ~~apply~~
~~themselves~~ cannot apply
themselves to the principal object
of such institutions - instruction
in Classical & Mathematical
knowledge; And there is no
reasonable ground to hope that
~~these Schools will hereafter~~
~~find better favour with the~~
~~Provincial Legislatures, or that~~
any relief will be afforded
~~unless the Crown~~ to the teachers
or any ~~and~~ effectual support
to the Schools unless H. M. shall
in his power & bounty, secure
a sufficient provision ^{for them} out of
his Land Revenues, at least
equal to that ~~which~~ upon the
promise of which the ^{established} teachers
were ~~then~~ originally formed. —

It would also be highly
desirable that similar provision
should be made for ~~the~~
Institutions of the same
description at Three Rivers &
in the Eastern Townships. —

~~It will~~
In the neighbouring Provinces of
N. A. the Crown has provided, either
in Land or in money, or in both,
for the endowment of Colleges &
Institutions of Education: — In
Upper Canada 550,000 acres
were set apart in 1798. for the
support of a University and
Grammar Schools; ~~and~~
~~the King~~ ~~has~~ ~~set~~ ~~apart~~ ~~for~~ ~~the~~ ~~same~~ ~~purpose~~ ~~out~~ ~~of~~ ~~this~~ ~~land~~ ~~revenue~~ ~~is~~
endowment

6

The University of King's College at York, has received an endowment of £ 220,000 acres, besides a Royal grant of £ 1000 per annum from the Territorial Revenue; and the Minor College, ^{& grammar school} at York is endowed with 65,000 acres and a portion of the revenues of the other reserved lands, together with a grant of £ 1000 from the Territorial Revenue. X

X and a tract of 195,000 acres has been assigned for the endowment of Grammar Schools in the other districts of the Province.

In ~~N. B.~~ Nova Scotia a College was chartered by ~~the Crown~~ ^{the Crown} in 1803. ~~with an annual grant~~ ^{received a} ~~per annum~~ of £ 1000 per annum from ~~the Govt~~ ^{the Govt} with an endowment of 20,000 acres of land; & further grants to the extent of £ 16000 acres have been made for ~~the~~ other Institutions &

In ~~N. B.~~ ~~the~~ New Brunswick the College at Fredericton ~~has been~~ ~~endowed by the~~ receives an annual grant from the Territorial Revenue of £ 1100 per annum, and has been endowed with ~~a considerable~~ 5000 acres of land & ^a valuable Estate in Fredericton; and in every township in the Province grants or reservations have been made (amounting now to 20,000 acres) & continue to be made as townships ~~are~~ laid out, for the support of Schools.

While such provision has been made
for education in the neighbouring
British Colonies - & while the
establishments for the education
of ^{that part of} the ~~French~~ population of this
Province which is of French
extraction & of the Roman
Catholic persuasion, are extensive
and supported by large endowments
(which tho originally derived from
private donations, ~~was~~ ^{have been} secured by
capitulations granted by the Crown)
the ^{other} ~~rest~~ of the Province ~~feel~~ ^{feel}
the want of the same advantages.

It is true ^{that} the Seminaries here alluded to, ~~are~~
^{are} nominally open to all classes of
the population; But it is an
undoubted fact that ~~during the~~
~~long period that they have~~ ~~during~~
~~the long period~~ ~~since~~ ~~the~~
an almost universal and
insuperable ~~objection~~ reluctance
appears to exist among those
classes to avail themselves of the
means of instruction ~~afforded~~ ~~to~~ ~~their~~ ~~youth~~ ~~and~~ ~~that~~
~~the~~ ~~major~~ ~~instances~~ ~~of~~ ~~young~~ ~~persons~~
~~of~~ ~~the~~ ~~British~~ ~~of~~ ~~that~~ ~~description~~
being educated in those Seminaries
have been and are exceedingly
~~rare~~, infrequent, in proportion to
the numbers who have been
sent out of the Province for
~~their~~ education: Independently
of this consideration, the range of
instruction in one of those Seminaries
is manifestly limited by particular
circumstances

^ have been left by its indulgence
in their population.

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circumstances, and in neither of
them is an education afforded
either founded on the principles
or ~~method~~ conducted in the
manner to which, whether from
prejudice or enlightened choice
those of who belong to a diff^t
class of the Population, would
give a decided preference.
And the same observation applies,
and will it is believed long
continue to apply to other
Seminaries of more recent
origin which have been founded
with the most praiseworthy zeal
by the Roman Catholic Priesthood
~~in different parts of the Province~~
~~and~~ aided by annual grants
from the Legislature, in those parts
of the Province inhabited by a
Population of French extraction.

Circumstances in the political
condition of this Province, to which
the undersigned is desirous not to
advert in a more particular
manner but which can neither be
wholly kept out of ~~his~~ sight
or their influence changed (as he
believes) except in a long lapse
of time, render it improbable that
any ~~permanent~~ ^{permanent} establishment or
encouragement can be expected,
except from the Crown, ~~to the~~
affectual for such Institutions
in the higher branches of Education
as w^d be acceptable to that
part of the community deriving
its origin from the mother country.

It is at once an evidence of
this state of things which has been
here

here described, and of the strength
 of the feelings & propensities
 from which it has originated, that
 persons who have been desirous of
 giving their children an enlarged
 & complete education have been
 obliged to send them out of the
 Province, either to Great Britain, or
 to Upper Canada (since the
 establishment of Collegiate institutions
 there, - to Nova Scotia, or even
 to the United States of America;
 and it is a fact that ^{at a}
 private Institution for ^{classical} education
 in the State of Vermont, nineteen
~~young persons~~ ^{young persons} ~~children~~ ^{children} from this Province
 or the ^{adjacent} ~~neighboring~~ parts of U. Canada,
~~many~~ ^{the great} chiefly belonging to the ~~best~~
 respectable families of British origin,
 who have been ~~driven~~ driven to
 this resource for the better
 education of their children in
 consequence of the absence of
 any well endowed & ~~supported~~
 established Seminary in this
 Province. -

The R. J. are aware that
 it does not belong to the duties
 of the H. M. Comm^{rs} to set
 apart endowments ^{for education} from the
 Crown Lands. - But they have
 drawn the attention of the Comm^{rs}
 to the subject, in the apprehension
 that by ~~the framing~~ the measures
 which the Comm^{rs} are now framing,
~~proposing~~ for surrendering the
 Crown lands, or the revenues thereof
 to the Provincial Legislature, the
 Crown ^{will} ~~may~~ be hereafter precluded,

* at the present moment
 there are

instance of the
as in the surrender of the Jesuits
Estates, from exercising any power of providing for this important object
~~Endowing Institutions of Education~~
out of its Spiritual possessions, unless
such power be expressly and in
terms reserved to it, ~~at the time~~
or a sufficient provision previously assigned
~~set apart~~.. -

24
Memorandum, submitted
to G. M. Compton Esq
24. ~~Sept~~ 1835.
on the part of the R. S. Trustees
relating to a bill for Education,

20

Hon. A. W. Cochrane,

Castle of Lewis
Quebec 10 October 1836

Sir,

I have been directed by
The Governor in Chief to trans-
mit to you the enclosed
copy of a Resolution of the House
of Commons dated the 8 March
and of a dispatch from the
Colonial Secretary dated the
15 March last, seeking in-
formation relative to
Colleges and Endowed Schools

The Hon. A. W. Cochrane
Principal of the Royal Institution

in this Province, and to
request that you will be
so good as to furnish the
information called for
at your early convenience
the Returns being required
to lay before the Imperial
Parliament at its next
meeting. —

I have the honor to be

Sir,

Your Obedient

Most obedient

Humble Servant

Mauro

Civil Secretary

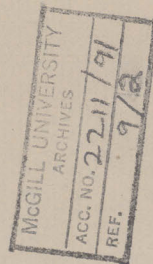
R.D.
10. Apr 30.

Dear

The Civil Secretary

calling for information to
be furnished ^{by the Royal Instⁿ} in answer
to an address of the House
of Commons, respecting
~~endowments~~ for Colleges
and endowed Schools.

Information enclosed



Copy

Mercurii 3^o die Martii 1836

Resolved

That an humble Address
be presented to His Majesty that
He will be graciously pleased to
give directions that there be
laid before this House, a return
of the number of Colleges and
endowed Schools in the British
Settlements in America and
the West India Islands, the
number and names of the
Masters and Professors ap-
pointed to the same, their
respective salaries, and any
or what grants made to them
by Government.

signed

J. A. L. C.

Ch. Dom. Com.

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ACC. NO.	2211/91
REF.	9/3

Copy
Circular

Downing Street
25 March 1836

My Lord

I have the honor to transmit
to you herewith the copy of a
Resolution of the House of Commons
dated the 8th Instant, requiring
certain information respecting
Colleges and Endowed Schools
in the British Settlements in
America and the West India
Islands, and I have to desire
that you will at your early
convenience, transmit to me
the fullest return which you
may be able to procure on this
subject, so far as relates to the
Colony under your Government

I have the honor to be
Yours &c
The Earl of Gosford
Signed J. Glenelg

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REF. 9/4

To the Kings Most Excellent Majesty
May it please Your Majesty

We, Your Majesty's dutiful and loyal
Subjects the Legislative Council of the Province
of Lower Canada, in Provincial Parliament
assembled, respectfully approach Your
Majesty humbly to represent that Your
Majesty's Royal Father, of Glorious Memo-
ry, was graciously pleased to inform
the Legislature of this Province through
His then Lieutenant Governor Sir Robert
Shore Milnes in his Speech to the two
Houses of the Provincial Parliament
on the 10th January 1801, that His Majesty
from His paternal Regard for the welfare
and prosperity of His Subjects in this
Colony, had been graciously pleased to
give directions for the establishing of a
competent Number of free Schools for
the instruction of their Children in the
first Rudiments of useful Learning,
and in the English tongue, and also

as

as occasion should require for endowments
of a more enlarged and comprehensive
nature; and that His Majesty was
further pleased to signify his Royal
intention that a suitable portion of the
Lands of the Crown should be set apart
and the Revenues thereof appropriated
to these purposes.

That the Executive Council of the Province,
having been called upon by the Lieutenant
Governor, in pursuance of the commands
of His Majesty, to consider in what manner
and to what extent it would be proper
to appropriate a portion of the Crown
Lands or Revenues for the said purpose,
Reported thereupon on the 24th June 1803.
and advised that there should be set
apart a large extent of the Waste Lands
of the Crown, equal to sixteen Townships,
or Eight Hundred thousand Acres, for
future Endowments for Education, and
this Report having been transmitted to
England and submitted to Your Royal
Father

Royal Father, His Majesty was pleased so far to sanction the plan proposed, as to cause it to be signified through Lord Hobart, then one of the Principal Secretaries of State, to the Lieutenant Governor of the Province, by a dispatch dated 9th September 1803, that an appropriation should be made of a sufficient quantity of the said Waste Lands for the foundation of Seminaries at Quebec and Montreal, and that the necessary measures should immediately be taken for carrying the plan so far into execution.

That owing to the vicissitudes of Public affairs, and the changes in His Majesty's Government, both in England and in this Province, no farther steps appear to have been taken to the present time, towards the accomplishment of the beneficent intentions of Your Majesty's Royal Father.

We respectfully submit to Your Majesty that while the Seminaries for Education founded originally upon this Province

was

was under the Crown of France, enjoy
extensive and valuable endowments,
and that large appropriations of the
Waste Lands for similar endowments have
been sanctioned in the Provinces of
Upper Canada, New Brunswick, and
Nova Scotia, no Provision has been made
since this Province became an appendage
of the British Crown for the permanent
endowment either of Preparatory Semi-
naries or of a University or College, to
which Your Majesty's subjects, using the
English tongue, could resort for the Educa-
tion of their children in the higher branches
of learning.

We therefore humbly pray that Your Majesty
will take the premises into Your favorable
consideration, and that You will be
graciously pleased to give directions for
the fulfilment of the wise and beneficent
intentions of Your Royal Father, by setting
apart a sufficient quantity of the Waste
Lands

Lands of the Crown in this Province
and assigning the Revenues of the
same, or by otherwise making an adequate
provision out of the Revenue or proceeds
of the Crown Lands, as an Endowment
for a Seminary or Seminaries of useful
learning, and more especially for
foundations of an enlarged and
comprehensive Nature.

Mcgill College

Proceedings of the
Legislative Council
on the subject of
His Majesty's pledge
to set apart Crown
lands for schools -
1836

No. 131

These papers refer to
a memorial sent in
June by the Managers of
McGill College. They
referred them to the
Honble Attorney, who must
write to say he will
not consider them.

would it not be better
if the whole case should
come before me. A.B.

